

RG # 107
Maricopa County

SG # 8
Superior Court
Criminal
AZ vs. Ernesto Miranda

Date
1963-1971
Accn. # AA-79-9

Historical Note

“You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to speak to an attorney, and to have an attorney present during any questioning. If you cannot afford an attorney, one will be provided for you at government expense.”

In March 1963 Ernest Arturo Miranda was arrested for robbery and for kidnapping and rape. After being interrogated by the Phoenix Police for 2 hours Miranda wrote his confession. He had not been told of his right to remain silent or advised he could have an attorney present. With his confession in hand, Miranda was tried and found guilty in both trials. He was then sent to the State prison in Florence.

The case was appealed to the Arizona Supreme Court, arguing that Miranda had not been told of his right to remain silent or his right to an attorney. The case was then taken to the U.S. Supreme Court where the decision was overturned. On June 13, 1966 a divided Supreme Court ruled that suspects must be informed of their right to remain silent, the right to counsel before being questioned by police, and that statements made while in police custody will not be admissible as evidence. The Miranda Warning used to advise an arrested individual of their rights is now basic to our criminal justice system.

In 1967 Miranda was retried for the kidnapping and rape charge and in 1971 for the robbery charge. He was again found guilty of all crimes. Miranda was granted parole in 1972 and was back in prison 1974-1975. While out he made extra money by autographing and hawking the Miranda warning cards law officers used. On the evening of January 31, 1976, Ernest Miranda was stabbed to death while in a fight over a \$3 gambling pot.

Scope and Content

The court papers cover 1963-1971

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Processing Note

Numbered the file folders and removed photo-negatives, transferring to photo-archives.

<u>Box/folder</u>	<u>Description</u>	<u>Dates</u>
1:1	Case No. 41947 Newspaper articles	6/1966-2/1967
1:1	Criminal subpoenas	12/19/1969- 12/22/1969
1:1	Motion to Produce	12/23/1964
1:1	Application for Change of Venue	12/23/1969
1:1	Affidavit in Support of Application for Removal of Action	12/23/1969
1:1	Order transporting prisoner for retrial	12/23/1969
1:1	Order to release Supreme Court transcripts and exhibits to Clerk of Superior Court	12/30/1969
1:2	Case No. 41947 Pleadings	05/19/1971 08/26/1971
1:2	Criminal Subpoena	
1:2	Supplemental Memorandum in Opposition to Motion to Quash or Remand	12/31/1969
1:2	Response to Application for Change of Venue	12/29/1969
1:2	Response to Motion to Quash or Remand	12/29/1969
1:2	Response to Motion in Limine	12/31/1969
1:2	Response to Defendant's Motion to Produce	12/29/1969
1:2	Motion to Amend Inaccurate Order	01/12/1970
1:2	Order re production of police reports	01/09/1970
1:2	Amended Order re Police Reports	01/16/1970
1:2	Motion to Dismiss with attached exhibits	02/25/1970
1:2	Response to Motion to Dismiss	02/27/1970
1:2	Peremptory Writ of Prohibition	04/03/1970
1:2	Motion for Continuance with Order	05/18/1970
1:2	Stipulation as to Trial Setting and Order	06/08/1970
1:2	Stipulation for Continuance and Order	06/02/1970
1:2	Stipulation for Continuance and Order	07/20/1970
1:2	Stipulation for Continuance and Order	12/07/1970
1:2	Motion for Continuance	09/17/1971
1:2	Motion for Jury Sequestration	09/22/1971
1:2	Praecipe and Criminal Subpoena	09/22/1971
1:2	Defendant's Requested Instructions	
1:2	Verdict for Defendant Jose Gomez	
1:2	Judgment of Guilt and Sentence for robbery	09/27/1971
1:2	Statement of facts on Conviction	10/18/1971
1:2	Stipulation for Continuance and Order	09/24/1970
1:3	Case No. 41947 Pleadings	
1:3	Petition for Attorney's Fees	11/09/1971
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1:3	Letter to Robert Miller from Alvin Moore	08/24/1963

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